

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

J & J SPORTS PRODUCTIONS, INC,

Plaintiff,

-against-

ROBERT J. TAAFFE, Individually and d/b/a
BOBBY T'S SPORTS GRILL; and BOBBY T'S
SPORTS GRILL, INC., an unknown business
entity d/b/a BOBBY T'S SPORTS GRILL

Defendants.

ANSWER
Civil Case No.:
1:18-cv-0491 (TJM/DJS)

Defendant, Robert J. Taaffe, Individually and d/b/a Bobby T's Sports Grill and Bobby T's Sports Grill, Inc., an unknown business entity d/b/a Bobby T's Sports Grill (hereinafter "Defendants"), by and through their undersigned counsel, the Law Office of Clemente J. Parente., hereby respond to the allegations set forth in the Complaint filed by Plaintiff J & J Sports Productions, Inc. ("Plaintiff") and state as follows:

JURISDICTION

1. Defendants neither deny nor admit the allegations set forth in Paragraph 1 of the Complaint but refers the court to the statutes cited therein.
2. Defendants neither deny nor admit the allegations set forth in Paragraph 2 of the Complaint but refers the court to the statutes cited therein.
3. Defendants deny the allegations set forth in Paragraph 3 of the Complaint.

VENUE

4. Defendants neither deny nor admit the allegations set forth in Paragraph 4 of the Complaint but refers the court to the statutes cited therein.

INTRADISTRICT ASSIGNMENT

5. Defendants deny the allegations set forth in Paragraph 5 of the Complaint.

6. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 6 of the Complaint.
7. Defendants deny the allegations set forth in Paragraph 7 of the Complaint.
8. Defendants deny the allegations set forth in Paragraph 8 of the Complaint.
9. Defendants deny the allegations set forth in Paragraph 9 of the Complaint.
10. Defendants deny the allegations set forth in Paragraph 10 of the Complaint.
11. Defendants deny the allegations set forth in Paragraph 11 of the Complaint.
12. Defendants deny the allegations set forth in Paragraph 12 of the Complaint.
13. Defendants deny the allegations set forth in Paragraph 13 of the Complaint.
14. Defendants deny the allegations set forth in Paragraph 14 of the Complaint.

COUNT I
(Violation of title 47 U.S.C. Section 605)

15. Defendants deny the allegations set forth in Paragraph 15 of the Complaint.
16. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 16 of the Complaint.
17. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 17 of the Complaint.
18. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 18 of the Complaint.
19. Defendants deny the allegations set forth in Paragraph 19 of the Complaint.
20. Defendants deny the allegations set forth in Paragraph 20 of the Complaint.
21. Defendants nether deny or admit the allegations set forth in Paragraph 21 of the Complaint but refers the court to statute cited therein.
22. Defendants deny the allegations set forth in Paragraph 22 of the Complaint.
23. Defendants deny the allegations set forth in Paragraph 23 of the Complaint.

24. Defendants deny the allegations set forth in Paragraph 24 of the Complaint

COUNT II
(Violation of Title 47 U.S.C. Section 553)

25. Defendants repeat and re-allege each and every response to paragraphs 1-24 as if set forth at length herein.
26. Defendants deny the allegations set forth in Paragraph 26 of the Complaint.
27. Defendants deny the allegations set forth in Paragraph 27 of the Complaint.
28. Defendants deny the allegations set forth in Paragraph 28 of the Complaint.
29. Defendants deny the allegations set forth in Paragraph 29 of the Complaint.

AS TO THE “PRAYER FOR RELIEF” PARAGRAPH

Defendants deny that Plaintiff is entitled to any of the relief set forth in the “Prayer for Relief” Section of the Complaint, including sub-paragraphs “A” through “G”.

GENERAL DENIAL

Defendants deny all allegations, including headings and sub-headings, not unequivocally admitted herein.

STATEMENT OF DEFENSES

Defendants assert the following defenses without assuming the burden of production of proof that it otherwise would not have.

AS AND FOR DEFENDANTS’ FIRST DEFENSE

The complaint fails to state a cause of action.

AS AND FOR DEFENDANTS' SECOND DEFENSE

At all times mentioned in the Complaint, Defendant Robert J. Taaffe did not supervise, manage, control or any other way direct the activities at Bobby T's Sports Bar.

WHEREFORE, Defendants respectfully request that this Court:

- A. Dismiss Plaintiff's Complaint in its entirety, with prejudice;
- B. Deny each prayer for relief set forth in Plaintiff's Complaint.
- C. Award Defendants reasonable attorneys' fees and costs incurred in defending against Plaintiff's action; and
- D. Grant such other and further relief as the Court deems just and proper.
- E.

Dated: June 21 , 2018
Albany, New York

Respectfully Submitted,

LAW OFFICE OF CLEMENTE J.
PARENTE

/s/ Clemente J. Parente
Clemente J. Parente
LAW OFFICE OF CLEMENTE J.
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ATTORNEYS FOR DEFENDANTS

CERTIFICATION OF SERVICE

I hereby certify that on June 21, 2018 a copy of the foregoing was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/Clemente J. Parente

Clemente J. Parente